

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PETER J. GANTNIER,)	
)	
Plaintiff,)	4:05CV3263
)	
v.)	
)	
UNION PACIFIC RAILROAD)	MEMORANDUM AND ORDER
COMPANY, a Delaware)	
corporation,)	
)	
Defendant.)	
_____)	

The parties have filed a motion to extend progression deadlines. Filing 41. The parties request the court to extend the deadline for completion of depositions and the date set for the pretrial conference to lat February 2007. The parties have not requested a continuance of the March 5, 2007 trial setting.

I have reviewed the file and note that this case was stayed for mediation pursuant to the parties' joint motion filed on August 29, 2006. As of that date, the deadline for filing motions to compel and summary judgment motions under the court's prior progression order had already passed with no such motions filed. However, the discovery deadline had not passed. See filing 23.

After efforts to settle through mediation failed, the court entered a memorandum and order reinstating this case to the trial docket and setting a new discovery deadline and date for the pretrial conference. Filing 37. The parties' pending motion to extend seeks to amend the filing 37 progression order.

IT THEREFORE HEREBY IS ORDERED: The parties' motion to extend progression deadlines, filing 41, is granted as follows:

1. The deadline for defendant's disclosure of Dr. Daniel Noble as an expert witness as required by Fed. R. Civ. P. 26(a)(2) and Rule 702, 703 or 705 is extended to February 5, 2007. The deadline for all other expert disclosures has expired; except as to Dr. Noble, the opportunity to disclose experts is not reinstated by this order.
2. All depositions, whether for discovery or use at trial, shall be completed on or before February 19, 2006.
3. The deadline for filing motions to compel and motions for summary judgment has expired; the right to file such motions is not reinstated by this order.
4. The deadline for filing motions challenging the admissibility of expert testimony has expired; the parties have not specifically requested an extension of this deadline and the right to file such motions is not reinstated by this order.
5. On or before January 20, 2007, each party shall serve opposing counsel with a list identifying the name, address, and telephone number of nonexpert witnesses who may testify at trial. A redacted version shall be filed with the court. See NECivR 5.3(a) and (d).
5. The final pretrial conference will be held before the undersigned on February 23, 2007 at 11:00 a.m.
6. Subject to the prior disposition or continuance of any criminal matters which may be set for that week, the jury trial of this case remains scheduled to commence on March 5, 2007 before the Honorable Richard G. Kopf.

DATED this 22nd day of December, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge